

Form PTO-1390  
(Rev. 12-2004)

US PATENT AND TRADEMARK OFFICE; US DEPARTMENT OF COMMERCE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NO.

**C 2864 PCT/US**

U.S. APPLICATION NO. (if known) See 37 CFR 1.55

**10/565135**

INTERNATIONAL APPLICATION NO.

**PCT/EP2003/014592**

INTERNATIONAL FILING DATE

**December 19, 2003**

PRIORITY DATE CLAIMED

**July 18, 2003**

TITLE OF INVENTION

**USE OF CIS-9, TRANS-11 ISOMER OF CONJUGATED LINOLEIC ACID (CLA) FOR  
TREATING INFLAMMATORY DISEASES**

APPLICANT(S) FOR DO/EO/US

**Doris BELL, Albrecht WEISS, Albert STRUBE, Bernd FABRY, Gerhard JAHREIS, and  
Anke JAUDSZUS**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:


1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (UNEXECUTED).
10. ☐ A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:  
Information Disclosure Citation

**"Express Mail" Mailing Label Number EV530260847US**

IAP12 Rec'd PCT/PTO 18 JAN 2006

|  |              |   |              |                          |            |
|--|--------------|---|--------------|--------------------------|------------|
| U.S. Application No. (If known, see 37 CFR 1.5)  |              | INTERNATIONAL APPLICATION NO.   |              | ATTORNEY'S DOCKET NUMBER |            |
| 10/565135  |              | PCT/EP2003/014592   |              | C 2864 PCT/US            |            |
| 21. The following fees are submitted:  |              |   |              |                          |            |
| ■ a) Basic national fee.....   |              |   |              | \$ 300.00                |            |
| ■ b) Examination fee.....  |              |   |              | \$ 200.00                |            |
| ■ c) Search fee - search report prepared and provided to USPTO.....  |              |   |              | \$ 400.00                |            |
| TOTAL OF ABOVE CALCULATIONS =  |              |   |              | \$ 900.00                |            |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |              |   |              |                          |            |
| Total Sheets   | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE         |                          |            |
| 24 - 100 =   | 0/50 =       | 0   | x \$250.00   | \$ 0                     |            |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |   |              | \$ 0                     |            |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE         |                          |            |
| Total Claims   | 13 - 20 =    | 0   | 0 X \$50.00  | \$ 0                     |            |
| Independent Claims   | 4 - 3 =      | 1   | 0 X \$200.00 | \$ 200.00                |            |
| MULTIPLE DEPENDENT CLAIMS (S) (if applicable)  |              |   | 0            | + \$360.00               | \$ 0       |
| TOTAL OF ABOVE CALCULATIONS =  |              |   |              | \$ 1,100.00              |            |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |              |   |              | \$ 0                     |            |
| SUBTOTAL =   |              |   |              | \$ 1,100.00              |            |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |              |   |              | \$ 0                     |            |
| TOTAL NATIONAL FEE =   |              |   |              | \$ 1,100.00              |            |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +   |              |   |              | \$ 0                     |            |
| TOTAL FEES ENCLOSED  |              |   |              | \$ 1,100.00              |            |
|  |              |   |              | Amount to be refunded:   | \$-----    |
|  |              |   |              | Amount to be charged:    | \$1,100.00 |
| a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.<br>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-1177</u> in the amount of \$ <u>1,100.00</u> to cover the above fees.<br>A triplicate copy of this sheet is enclosed. Order No. <u>06-0029</u> .<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1177</u> . A triplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.<br><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</b> |              |   |              |                          |            |
| SEND ALL CORRESPONDENCE TO: <b>Customer Label No. 23657</b>  |              |   |              |                          |            |
| <br>SIGNATURE<br>Jane E. Alexander<br>NAME ATTORNEY FOR APPLICANT<br>36,014<br>REGISTRATION NUMBER   |              |   |              |                          |            |